

UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 C.F.R. 1.53(b))		Attorney Docket No. 035574-003	
		First Inventor	Vivek P. Singhal, et al.
		Title	HIGH AVAILABILITY VIA DATA SERVICES
		Express Mail Label No.	EV310852641US

U.S. PTO
10/679015



APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.		ADDRESS TO: Commissioner for Patents Mail Stop Patent Application P.O. Box 1450 Alexandria VA 22313-1450	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing) 2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Specification (Total Pages <u>56</u>) (preferred arrangement set forth below) - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the invention - Brief Summary of the invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) (Total Sheets <u>15</u>) 5. Oath or Declaration (Total Sheets <u>5</u>) a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) (for a continuation/divisional with Box 18 completed) i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76		7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies ACCOMPANYING APPLICATIONS PARTS 9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 C.F.R. 3.73(b) Statement <input type="checkbox"/> Power of (when there is an assignee) Attorney 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS Statement (IDS)/PTO-1449 Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input checked="" type="checkbox"/> Other: <u>Return postcard</u>	

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: ____ /
 Prior application information: Examiner _____ Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number or Bar Code Label			or <input checked="" type="checkbox"/> Correspondence address below (Insert Customer No. or Attach bar code label here)		
Name	Robert E. Krebs THELEN REID & PRIEST LLP				
Address	P.O. BOX 640640				
City	San Jose	State	CA	Zip Code	95164-0640
Country	United States	Telephone	408.292.5800	Fax	408.287.8040

Name (Print/Type)	Marc S. Hanish	Registration No. (Attorney/Agent)	42,626
Signature		Date	October 2, 2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
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**FEE TRANSMITTAL
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 3894**Complete if Known**

Application Number	(to be assigned)
Filing Date	October 2, 2003
First Named Inventor	Vivek P. Singhal
Examiner Name	(to be assigned)
Group / Art Unit	(to be assigned)
Attorney Docket No.	035574-003

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																													
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES																																																													
<input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 50-1698 Deposit Account Name: THELEN REID & PRIEST LLP		<table><thead><tr><th>Large Entity</th><th>Small Entity</th></tr></thead><tbody><tr><td>Fee Code (\$)</td><td>Fee Code (\$)</td></tr><tr><td>1051 130</td><td>2051 65</td></tr><tr><td>1052 50</td><td>2052 25</td></tr><tr><td>1053 130</td><td>1053 130</td></tr><tr><td>1812 2,520</td><td>1812 2,520</td></tr><tr><td>1804 920*</td><td>1804 920*</td></tr><tr><td>1805 1,840*</td><td>1805 1,840*</td></tr><tr><td>1251 110</td><td>2251 55</td></tr><tr><td>1252 410</td><td>2252 205</td></tr><tr><td>1253 930</td><td>2253 465</td></tr><tr><td>1254 1,450</td><td>2254 725</td></tr><tr><td>1255 1,970</td><td>2255 985</td></tr><tr><td>1401 320</td><td>2401 160</td></tr><tr><td>1402 320</td><td>2402 160</td></tr><tr><td>1403 280</td><td>2403 140</td></tr><tr><td>1451 1,510</td><td>1451 1,510</td></tr><tr><td>1452 110</td><td>2452 55</td></tr><tr><td>1453 1,300</td><td>2453 650</td></tr><tr><td>1501 1,300</td><td>2501 650</td></tr><tr><td>1502 470</td><td>2502 235</td></tr><tr><td>1503 630</td><td>2503 315</td></tr><tr><td>1460 130</td><td>1460 130</td></tr><tr><td>1807 50</td><td>1807 50</td></tr><tr><td>1806 180</td><td>1806 180</td></tr><tr><td>8021 40</td><td>8021 40</td></tr><tr><td>1809 750</td><td>2809 375</td></tr><tr><td>1810 750</td><td>2810 375</td></tr><tr><td>1801 750</td><td>2801 375</td></tr><tr><td>1802 900</td><td>1802 900</td></tr></tbody></table>		Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	1051 130	2051 65	1052 50	2052 25	1053 130	1053 130	1812 2,520	1812 2,520	1804 920*	1804 920*	1805 1,840*	1805 1,840*	1251 110	2251 55	1252 410	2252 205	1253 930	2253 465	1254 1,450	2254 725	1255 1,970	2255 985	1401 320	2401 160	1402 320	2402 160	1403 280	2403 140	1451 1,510	1451 1,510	1452 110	2452 55	1453 1,300	2453 650	1501 1,300	2501 650	1502 470	2502 235	1503 630	2503 315	1460 130	1460 130	1807 50	1807 50	1806 180	1806 180	8021 40	8021 40	1809 750	2809 375	1810 750	2810 375	1801 750	2801 375	1802 900	1802 900
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The Commissioner is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Credit any overpayments <input type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		Fee Description Fee Paid																																																													
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NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor		Vivek P. Singhal, et al.
	Title	HIGH AVAILABILITY VIA DATA SERVICES	
	Atty Docket Number		035574-003

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

October 2, 2003

Date



Signature

(408) 292-5800

Telephone number

Marc S. Hanish

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.